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What Was the CIA Up to in Canada?

All Canadians owe a debt of gratitude to David Broder for his March 13 column ["There's a Gorilla in the Hemisphere"] based on Lawrence Martin's invaluable book, "The Presidents and the Prime Ministers." Both the Broder piece and the Martin book expose a long history of ham-handed U.S. arrogance toward its Canadian neighbor. I am writing to attest to an additional instance of American callousness—the CIA-sponsored brainwashing experiments performed on unsuspecting Canadian citizens.

In those CIA-funded experiments during the late 1950s and early 1960s, patients at a Montreal mental hospital were subjected to some or all of the following procedures. They were given LSD and were "depatterned" by receiving large doses of drugs and/or intensive electro-shocks two or three times a day until they were reduced to a vegetative state. Some patients were subjected to "psychic driving"—tape recordings repeated the same message over and over when played through speakers in the patients' pillows or headphones from 6 a.m. until 9 p.m. each day until the message had been repeated some one-quarter to one-half million times. Finally, to make some of the patients forget what had been done to them, powerful drugs were administered that caused them to sleep for a week to 10 days.

All of this was done without even informing our government here in Canada, much less telling the patients who had come to the hospital seeking therapy that they were subjects of brain-

washing experiments. As a Canadian citizen and a member of Parliament, the arrogance of the CIA angers me; but as a husband that anger knows no bounds—for my wife was one of the patients used as a guinea pig in the CIA-sponsored brainwashing experiments. I speak from distressing personal knowledge when I say that the CIA has caused great suffering and unhappiness to the Canadian citizens who were victimized by those unwitting experiments.

Concepts of justice and fairness require a person who injures another to recompense his victim, yet the U.S. government has consistently acted to conceal its wrongdoing and to shirk its responsibility. The CIA files relating to this program were ordered destroyed in 1973, but due to an oversight a limited portion of those documents survived and were found four years later. At that time, CIA Director Stansfield Turner promised the U.S. Senate that experimental subjects would be located and notified—yet not one Canadian victim has ever been contacted by the CIA.

To this day the U.S. government denies all responsibility toward the Canadians who were victims. When my wife and other Canadians who had been patients at the hospital approached the CIA seeking recompense, they encountered a stone wall of opposition. Those Canadian citizens were forced to sue for the compensation due them—a suit that the United States has resisted with all the resources available to it.

It is bad enough when, as Mr. Martin relates, the United States tries to station missiles in Canada with the purpose of making us a target for the Russians and when U.S. industries pollute so badly that acid rains kill our forests; but when the United States comes up here and uses our citizens as guinea pigs and then denies all responsibility, only one question remains: with friends like these...

DAVID ORLIKOW

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(The writer is a member of Parliament from Winnipeg.)

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WASHINGTON POST
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Final Payment Approved for Kin, Survivors in Guyana Massacre

By Bill Prochnau
Washington Post Staff Writer

More than four years after the infamous Jonestown murder-suicide of 913 persons in the jungles of Guyana, California courts yesterday approved the final payment of settlements to survivors and relatives of the victims.

One claimant will get a check for 36 cents—the last payment on a \$29 settlement for a loved one lost in the bizarre final act of the Rev. James Jones.

In all, relatives and survivors received almost \$9.5 million from the estate of the cultist Peoples Temple church, whose members shocked the world with the murder of a congressman and four others, followed just hours later by a ritualistic mass suicide in which the charismatic Jones ordered his followers to drink a cyanide-laced flavored drink.

The highest personal payment was \$600,000 to Jackie Speier, a former congressional aide who was severely injured in the airport shootings that killed Rep. Leo J. Ryan (D-Calif.), three newsmen and a church defector as they attempted to leave the area. Ryan had gone to Jonestown to investigate reports of abuse of church members.

Robert Fabian, a court-appointed San Francisco lawyer who tracked down church funds scattered throughout Latin America and then made judgments on the claims, said almost no one was happy with the final settlements.

"Would you be [satisfied] if you lost a wife and somebody offered you \$20,000?" Fabian asked. "When you start out with 913 deaths, it's unlikely that people will be happy, no matter what the outcome is."

It all started on Nov. 18, 1978, when Jones, once a prominent San Francisco church and social activist, ordered the killing of Ryan and then led his expatriate followers and their children in the mass suicide, a ritual which they had apparently practiced without the cyanide numerous times.

Word of the magnitude of the massacre gradually leaked out of the isolated jungles of Guyana over the next few days and shocked the world, leading to psychological studies of cultism in America, congressional investigations and a tangle of interlaced lawsuits that still is not completely unsharled.

Several church defectors sued Ryan's estate for failing to provide adequate protection as they tried to escape. Ryan's children sued the federal government for failing to give their father adequate warning of the danger in making his investigatory trip to the Peoples Temple outpost.

Some relatives sued former secretary of state Cyrus R. Vance and former CIA director Stanisfield Turner, charging that they conspired with Jones to control the cult as part of a secret government behavior-modification program.

At one point, California's San Mateo County filed a claim against the church estate for \$300,000 to defray the special-election costs to replace Ryan in Congress. Fabian, the court-appointed receiver, angrily threw out that claim.

But the federal government also sued—seeking \$4.2 million for the Air Force airlift to Dover, Del., of the bloated bodies found at Jones' Guyana encampment. The government received \$1.4 million from the church estate, far more than any other claimant.

For almost five months, nearly 300 of the bodies lay unclaimed in Dover. The remains finally were trucked to Oakland, Calif., for burial after affluent Marin County nearby refused to accept the bodies.

Through it all Fabian, a former general counsel for Bank of America, relentlessly tracked down rumors of stashed church funds. When he was appointed four months after the mass murder-suicides, only \$295,000 had been located. He found almost \$10 million more scattered in bank accounts and property in Latin America, including \$7 million in Panama, \$600,000 in Guyana and \$80,000 in Grenada.

Over the four years, the assets grew to about \$14 million as Fabian rolled them over in high-interest certificates of deposit. The original claims against the church totaled almost \$1.8 billion but, in an out-of-court settlement designed to avoid future legal struggle, they were reduced to close to the amount Fabian had accumulated.

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NEW YORK TIMES
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ABROAD AT HOME

Courts in Contempt

By Anthony Lewis

BOSTON, March 23 — An 80-year-old Federal judge in Alexandria, Va. Oren R. Lewis, has just been sternly criticized in two appellate decisions. His errors were "glaring," the Court of appeals said; in one case he had "predetermined the outcome."

Newspapers published the story with a certain relish, no doubt because Oren Lewis has a long-standing reputation as an abusive and intolerant judge. "Roarin' Oren," they call him.

But there is more to it than a funny story about a crusty old judicial tyrant. Judge Lewis played a part in a case that did more damage to the First Amendment than any other in modern times. The Supreme Court of the United States magnified his abuses by the way it handled the case. The whole affair was an ugly example of the damage judges can do when they use their great power without respect for the process of law.

The case was that of Frank Snepp, the former C.I.A. agent whose book, "Decent Interval," criticized the performance of U.S. officials in the last days in Vietnam. The Government sued him, claiming that he had violated a promise not to publish anything — classified or not — without prior official approval.

Judge Lewis rejected Mr. Snepp's request for a jury trial and tried the case himself. His bias in favor of the Government was unconcealed. More than 20 times he stopped witnesses from answering defense questions by "sustaining" objections when Government lawyers had made none.

The only evidence offered to support the claim that publication of "Decent Interval" had hurt the national security came from Adm. Stansfield Turner, then Director of Central Intelligence. He testified that it and other "incidents" had diminished "world-wide confidence in our ability." When Mr. Snepp's lawyer asked whether any source had stopped cooperating with the C.I.A. specifically because of this book, Judge Lewis would not allow Admiral Turner to answer.

The judge made findings against Mr. Snepp beyond what the Government had alleged. Although Mr. Snepp testified that he had gone to a publisher only after fruitless efforts to get an internal C.I.A. investigation of the mishandling of the evacuation from Vietnam, Judge Lewis found that he had published the book not "to let the American public know all of these things" but "for money." His strongest critics in the C.I.A. would not have made that absurd charge.

As a remedy, Judge Lewis gave the Government a "constructive trust" on Mr. Snepp's earnings from the book. What that meant was that every penny he got from it would go to the Government.

The Court of Appeals disagreed with that harsh remedy. If Mr. Snepp's promise to clear manuscripts was a contract, it said, the most the Government could get was damages — and on that he was entitled to a jury trial.

The case then went to the Supreme Court, which took an extraordinary judicial short cut. Acting on the petitions for review without briefs or argument, it set aside the Court of Appeals' decision and re-imposed the constructive trust remedy. Moreover, the unsigned opinion for a six-three majority repeated as Gospel several of Judge Lewis' findings of "fact." No doubt his hateful comments set the climate for the Supreme Court's curt disposition of the case.

The whole process was a travesty of justice. Mr. Snepp had a trial before an antagonistic judge. The Court of Appeals seemed to correct that when it ordered a new trial before a jury. But the Supreme Court reinstated the trial judge's decision without giving anyone a chance to challenge the way he reached it — or to argue the law.

For Frank Snepp, the result was a personal disaster. A man who had wanted to do something about the cruel way he thought we had treated our friends in Vietnam found himself branded a betrayer. His gross income for three years, \$140,000, was taken from him. He is still hopelessly in debt, laboring under an unjust stigma, crippled in his ability to write or speak.

But for the country the result was far worse. The case established the precedent that former Government officials can be prevented from publishing anything about their work, secret or not, without prior approval. It is an Official Secrets Act: one not approved by Congress but fashioned by judges in a hasty and ill-informed way.

The precedent seemed at first to be limited to intelligence agents. But now President Reagan has extended it throughout Government. Anyone with access to "sensitive compartmented information" — and that means all high-ranking officials in foreign and national security affairs — must promise to clear writings and speeches for the rest of their lives. And agencies are free to impose that draconian rule on all who see ordinary classified information.

Judges play a crucial role in the American system safeguarding our freedom. I happen to revere the judicial process. When it is subverted by judges themselves, the dangers are great.

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